

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Akimasa TANAKA)	Confirmation No.: 2334
)	
Application No.: 10/585,314)	Group Art Unit: 2826
)	
Filing Date: May 3, 2007)	Examiner: Kevin V. Quinto
)	
For: SEMICONDUCTOR)	
LIGHT-EMITTING DEVICE AND)	
ITS MANUFACTURING METHOD)	

Commissioner for Patents
U.S. Patent and Trademark Office
Alexandria, VA 22314

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached PTO Form 1449. Applicant is filing concurrently herewith a Request for Continued Examination under 37 C.F.R. § 1.114 for the above-identified application. Accordingly, Applicant does not believe that a fee is due for filing this paper.

Applicant brings to the attention of the Examiner the cited U.S. application publication. In particular, U.S. Application No. 11/578,251 (Attorney Docket No. 46884-5526), filed June 19, 2007, published as cited U.S. Publication No. 2008/0031295.

Applicant brings to the attention of the Examiner a Double Patenting rejection that issued in the above-mentioned U.S. Application No. 11/578,251 in an Office Action dated March 2, 2009. A copy of the March 2, 2009 Office Action including this Double Patenting rejection is attached for the Examiner's consideration.

Applicant also brings to the attention of the Examiner copies of International Search Report dated July 19, 2005, International Preliminary Report on Patentability dated October 26, 2006, Japanese Office Action dated November 13, 2007, and European Search Report dated January 31, 2008, each of which were cited in U.S. Patent Application No. 11/578,251. Copies of these documents are also attached hereto for the Examiner's consideration.

Applicant respectfully requests that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that any of the listed documents are material or constitute "Prior Art". If it should be determined that any of the listed documents do not constitutes "Prior Art" under the United States law, Applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over any of the listed documents, should any of the documents be applied against the claims of the present application.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including

any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0573.

This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

DRINKER, BIDDLE & REATH LLP

A handwritten signature in black ink, appearing to read "Paul A. Fournier", is written over a horizontal line.

Paul A. Fournier
Reg. No. 41,023

Date: September 3, 2009

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